

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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 UNDER 37 C.F.R. §1.8

 DATE OF DEPOSIT:

 I hereby certify that this correspondence is being deposited with
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 Assistant Commissioner for Patents
 Washington, DC 20231
 8/2/01 *CPH Scott*
 Jo Ann Scott

RECEIVED
21 SEP 2001
Legal Staff
International Division

The above referenced application became abandoned for failure to file a timely and proper reply to the Notification of Missing Requirements mailed on March 8, 2000, which set a one month period for reply. The abandonment date of the application is April 8, 2000. A Notice of Abandonment was not received for the above-referenced application.

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Applicant first became aware that the application was unintentionally abandoned on July 3, 2001. The unintentional abandonment of the above-referenced application was discovered during a status check of the file.

Applicant's undersigned representative checked their docketing system when the unintentional abandonment of the above-referenced patent was first discovered. The above-referenced case was inadvertently removed from the docketing system, even though a proper response was not filed. Applicant's representative received the documents required for the reply to missing requirements after the final response date (with extensions of time) of September 8, 2000, however, the documents were misfiled. Applicant's representative submits that the combination of misfiling of the documents and the removal of the above-referenced application from the docketing system lead to the unintentional delay in the filing of this petition. Applicant sincerely apologizes for this delay.

Enclosed is a fee authorization form for the payment of the small entity petition fee of \$1240.00 as set forth in 37 C.F.R. § 1.17(m). Also enclosed is a response to the Notification of Missing requirements mailed March 8, 2000.

Schiavone et al.
09/462,716

The Commissioner is authorized to charge any additional fees that are required, or credit any overpayment, to Conley, Rose & Tayon, P.C. Deposit Account No. 50-1505\5310-02200\EBM.

Respectfully submitted,



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